

REMARKS

Claims 1 – 20 and 22 – 30 are currently pending in the subject application, and are presently under consideration. Claims 1 – 5, 7, 8, 10 – 12, 14, 15, 17 – 20, 23 – 25, 27, 28 and 30 stand rejected. Claims 6, 9, 13, 16, 22, 26 and 29 are objected to. Claims 6, 9, 13, 16, 22, 26 and 29 have been indicated as allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 1, 12, 18 and 24 have been amended and claims 9, 13, 22 and 29 have been cancelled by this amendment. New claim 32 has been added.

Favorable reconsideration of the application is requested in view of the amendments and comments herein.

I. Specification

The specification has been corrected as suggested in the Office Action.

II. Rejection of Claims 1 – 2, 4 – 5, 7 – 8, 10 – 12, 14 – 15, 17 – 20, 23 – 25, 27 – 28 and 30 Under 35 U.S.C. §102

Claims 1 – 2, 4 – 5, 7 – 8, 10 – 12, 14 – 15, 17 – 20, 23 – 25, 27 – 28 and 30 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,923,715 to Ono (hereinafter "Ono"). Withdrawal of this rejection is respectfully requested for at least the following reasons.

Regarding claim 1, claim 1 has been amended to correct typographical errors. Additionally, as stated above, claim 9 has been objected to but indicated to be patentable if rewritten in independent form. Accordingly, claim 1 has been amended to substantially incorporate the subject matter recited in claim 9, and claim 9 has been canceled. Some of the subject matter added by the previous amendment has also been deleted from claim 1, as it is believed unnecessary for patentability over the art of record in view of incorporation of claim 9 into claim 1. Thus, amended claim 1 is not anticipated by the prior art, and claim 1 is patentable.

Claims 2, and 4-5, 7-8 and 10-11 and 33 depend either directly or indirectly from amended claim 1. The subject matter being deleted from claim 1 is being recited in new dependent claim 33. Accordingly, claims 2 and 4-5, 7-8 and 10-11 and 33 are patentable for

at least the same reasons as amended claim 1, and for the specific elements recited therein. Allowance of claims 2, and 4-5, 7-8, 10-11 and 33 is respectfully requested.

Additionally, regarding claim 7, Ono does not disclose an update control that sets a rate for updating the frequency of a clock cycle, as recited in claim 7. In Ono, FIG. 4(c) discloses an up/down counter 81. The up/down counter 81 generates a signal E'n that can be used to indicate if the frequency of an output clock signal is higher than the frequency of a reference signal (See Ono, Col. 6, lines 46-50). Nothing in Ono discloses that the up/down counter 81 or other circuitry can set a rate for updating the frequency of a clock cycle, like the update control recited in claim 7. Since Ono does not disclose each and every element of claim 7, reconsideration and allowance of claim 7 are respectfully requested.

Regarding claim 8, the Office Action contends that claim 8 carries no patentable weight. Applicant respectfully disagrees with this contention. Claim 8 depends from claim 7 and recites a system with an update control that sets the rate for updating the frequency of a clock signal based on at least one operating characteristic of an integrated circuit (IC) chip comprising the system. Claim 8 does further limit claim 7 because claim 7 recites no element as a basis for setting the rate for updating the frequency of the clock signal. However, in claim 8, the rate must be based on at least one operating characteristic of an IC chip comprising the system. Such characteristics of an IC chip that comprises the system can include, for example, the operating mode, the voltage or the temperature of the IC. Since claim 8 carries patentable weight, in the absence of a teaching or suggestion in the prior art, allowance of claim 8 is respectfully requested.

Regarding claim 10, the Office Action contends that claim 10 carries no patentable weight. Applicant respectfully disagrees with this contention. Unlike claim 1, from which claim 10 depends, claim 10 requires the system of claim to be implemented on an IC chip. Claim 10 should be afforded its patentable weight and be allowed.

Regarding claim 11, the Office Action contends that claim 11 carries no patentable weight. Applicant respectfully disagrees with this contention. Claim 11 recites an integrated system comprising at least two IC chips, wherein at least one of the IC chips comprises the system of claim 1 and at least another of the IC chips provides a synchronization signal to the IC chips that comprise the system of claim 1. Thus, unlike claim 1, from which claim 11 depends, claim 11 requires that the synchronization signal is provided by an IC chip. Accordingly, claim 11 should be afforded its patentable weight and allowed.

Regarding claim 12, claim 12 has been amended to substantially incorporate the subject matter recited in claim 13 as well as to delete some recitations that were added in the previous amendment. Claim 13 has been canceled in view of its subject matter being added to independent claim 12. As stated above, claim 13 has been indicated as allowable if rewritten in independent form. In view of the amendment to claim 12, the deleted subject matter is believed unnecessary for patentability over the art of record. Accordingly, allowance of claim 12 is respectfully requested.

Claims 14, 15, 17 and 34 depend either directly or indirectly from amended claim 12, and are patentable for at least the same reasons as amended claim 12, and for the specific elements recited therein. New claim 34 generally recites the deleted subject matter in the context of adjusting phase of the clock signal. Accordingly, Applicant respectfully requests allowance of claims 14-17 and 34.

Additionally, regarding claim 17, Ono does not disclose an update control that controls a rate at which the frequency of a clock signal is updated, as recited in claim 17. As stated above with respect to claim 7, Ono does not disclose that the up/down counter 81 depicted in FIG. 4(c) can set a rate for updating the frequency of a clock cycle, as recited regarding the update control in claim 17. Thus, claim 17 is patentable over Ono.

Regarding claim 18, as stated above, claim 22 has been objected to but indicated to be patentable if rewritten independent form. Accordingly, claim 18 has been amended to substantially incorporate the subject matter recited in claim 22, and claim 22 has been canceled. Thus, allowance of claim 18 is respectfully requested.

Claims 19-20 and 23 depend either directly or indirectly from claim 18 and are not anticipated by Ono for substantially the same reasons as claim 18 and for the specific elements recited therein. Accordingly, claims 19-20 and 23 are patentable.

Regarding claim 24, as stated above, claim 29 has been indicated as allowable if rewritten in independent form. Accordingly, claim 24 has been amended to substantially incorporate the subject matter recited in claim 29, and claim 29 has been canceled. Thus, allowance of amended claim 24 is respectfully requested.

Claims 25, 27-28 and 30 depend either directly or indirectly from amended claim 24 and are not anticipated by Ono for substantially the same reasons as amended claim 24 and for the specific elements recited therein. Accordingly, claims 25, 27-28 and 30 are patentable over Ono.

Additionally, claim 30 recites controlling an update rate at which adjustments to the frequency of an internal clock are performed. As stated above with respect to claim 7, Ono does not disclose that the up/down counter 81 depicted in FIG. 4(c) can set a rate for updating the frequency of a clock cycle. Since Ono does not disclose controlling an update rate, as recited in claim 30, reconsideration and allowance of claim 30 are respectfully requested.

For the reasons described above, claims 1 – 2, 4 – 5, 7 – 8, 10 – 12, 14 – 15, 17 – 20, 23 – 25, 27 – 28 and 30 should be patentable over the cited art. Accordingly, withdrawal of this rejection is respectfully requested.

III. Rejection of Claim(s) 3 Under 35 U.S.C. §103

Claim 3 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Ono. Withdrawal of this rejection is respectfully requested for at least the following reasons.

Claim 3 depends from claim 1 and is patentable over Ono for substantially the same reasons as claim 1, and for the specific elements recited therein. Additionally, since Ono operates in a substantially different way, there is nothing to suggest using the particular oversampling recited in claim 3. It is respectfully requested that the Examiner submit evidence to support the position that the claim elements recited in claim 3 are taught or suggested by Ono. It is respectfully submitted that in the absence of such a teaching or suggestion, Ono cannot render claim 3 obvious. Thus, claim 3 is patentable over Ono.

IV. New Claims 32-34

As stated above new claim 32 has been added. Since new claim 32 substantially recites the subject matter of original claim 17, which depends from original claim 12, no further searching or examination should be required. For similar reasons to those stated above with respect to claim 7, Ono does not teach or suggest an update control that sets a rate for updating the frequency of a clock cycle, as recited in claim 32. It is respectfully submitted that in the absence of such a teaching or suggestion of the cited art, that new claim 32 is patentable. Accordingly, allowance of new claim 32 is respectfully requested.

Additional reasons concerning the allowance of new claims 33 and 34 has been provided above with respect to the base claims from which these new claims depend.

V. CONCLUSION

In view of the foregoing remarks, Applicant respectfully submits that the present application is in condition for allowance. Applicant respectfully requests reconsideration of this application and that the application be passed to issue.

Should the Examiner have any questions concerning this paper, the Examiner is invited and encouraged to contact Applicant's undersigned attorney at (216) 621-2234, Ext. 106.

No additional fees should be due for this response, including none for new claims 32-34, in view of the fees being paid by applicant for the request for continuing application for the present application. In the event any fees are due in connection with the filing of this document, the Commissioner is authorized to charge those fees to Deposit Account No. 08-2025.

Respectfully submitted,

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